



PTO/SB/30 (09-03)

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**Request
for
Continued Examination (RCE)
Transmittal**

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<i>FEB 19 2004</i>	<i>PTO/SB/30 (09-03)</i>
<i>100-066-375</i>	<i>10/066,375</i>
<i>1754</i>	<i>01/29/02</i>
<i>GROSS</i>	<i>First Named Inventor</i>
<i>MEDINA-SANABRIA</i>	<i>Examiner Name</i>
<i>SD-8355</i>	<i>Attorney Docket Number</i>

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
ii. Other _____

- b. Enclosed

- i. Amendment/Reply iii. Information Disclosure Statement (IDS)
ii. Affidavit(s)/ Declaration(s) iv. Other Explanation for action taken _____

2. **Miscellaneous**

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0583

- i. RCE fee required under 37 CFR 1.17(e)
ii. Extension of time fee (37 CFR 1.136 and 1.17)
iii. Other _____

- b. Check in the amount of \$ _____ enclosed

- c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Timothy P. Evans	Registration No. (Attorney/Agent)	41.013
Signature	<i>Timothy P. Evans</i>	Date	02/12/04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	<i>Corinna Morris</i>	Date	<i>2/12/04</i>
Signature	<i>Corinna Morris</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Application of: GROSS, et al.)

Serial Number: 10/066,375)

Examiner: MEDINA-SANABRIA

Filed: 01/29/02)

Group Art Unit: 1754

For: DIRECT SYNTHESIS OF)

CATALYZED HYDRIDE COMPOUNDS)

Attorney Docket Number: SD-8355)

Commissioner for Patents

Washington, D. C. 20231

FEBRUARY 12, 2004

REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR §1.114

Examiner Mediana-Sanabria:

The attached Request for Continued Examination under 37 C.F.R. §1.114 is filed under the provisions of 37 C.F.R. §1.313(a) to withdraw an application from issue, BEFORE the payment of the issue fee, for the purposes of considering information contained within an information disclosure statement.

On November 20, 2003, a First Action on the merits was mailed to the Applicants in related application Serial Number 10/320,006. On January 27, 2004, the Applicants' representative took up that Action for the purpose of preparing a response. Upon review of the Examiner's arguments and cited art references the representative realized that the references were relevant to the examination of the present application. Therefore, an IDS, together with the requisite fee under 37 C.F.R. §1.17(p) and copies of two journal articles consider relevant were mailed to the Examiner on January 30, 2004.

On January 29, 2004, a Notice of Allowability in the present application was mailed to the office of the Applicants' representative on February 10.

The present action is taken, therefore, in order to allow the Applicants an opportunity to properly discharge their duty of disclosure under 37 C.F.R. §1.56 and to allow sufficient

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